

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DANNELL L. SIMMONS,

Plaintiff,

vs.

EARL MAY SEED & NURSERY, L.C.,

Defendant.

4:16CV3007

ORDER

Plaintiff has filed a motion to compel. (Filing No. 26). Pursuant to court order, (Filing No. 13), “[m]otions to compel shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties’ dispute.” The purpose of this order is to avoid the delays caused by formal discovery motion practice. The parties did not confer with the court before Plaintiff’s motion was filed.

Accordingly,

IT IS ORDERED:

1) Plaintiff’s motion to compel, (Filing No. 26), is denied without prejudice to re-filing if the discovery dispute cannot be resolved during a conference with the court.

2) A telephonic conference with the undersigned magistrate judge will be held on October 4, 2016 at 2:00 p.m. to discuss the status of case progression and potential settlement. Counsel shall use the conferencing instructions assigned to this case, (see Filing No. 14), to participate in the call.

September 28, 2016.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge